

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

WILLIE MOSBY,

Plaintiff,

v.

ORDER

KURT SILBERSCHMIDT and
JAMES WOMACK,

08-cv-677-wmc

Defendants.

On December 15, 2010, after a jury returned a verdict for defendants, judgment was entered in favor of defendants dismissing this case. On May 9, 2011, plaintiff Willie Mosby's timely motion for judgment as a matter of law and for a new trial was denied.

Now before the court is plaintiff's notice of appeal. Because Mosby has not paid the \$455, the court construes the notice as a request to proceed *in forma pauperis* on appeal. Because plaintiff was granted leave to proceed *in forma pauperis* in this court, he "may proceed on appeal *in forma pauperis* unless the district court shall certify that the appeal is not taken in good faith or shall find that the party is otherwise not entitled so to proceed." Fed. R. App. P. 24(a). I certify that the appeal is taken in good faith and see no other reason to deny plaintiff's request to proceed *in forma pauperis*.

ORDER

IT IS ORDERED that plaintiff's motion for leave to proceed *in forma pauperis* on appeal, dkt. #232, is GRANTED.

Entered this 8th day of June, 2011.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge